IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 5666 of 2007(Y)

PETITIONER:

P. GOPALAKRISHNAN CHETTIAR, AGED 57,
S/O. PERUMAL CHETTIAR,
KAMBALATH HOUSE, NEENDOOR,
P.O. VADAKKEKKARA, N. PARUR,
(INSPECTOR, RETIRED K.S.R.T.C, N. PARUR,
P.P.O. NO.29342).

BY ADV. SRI.P.JAYAKUMAR
SRI.V.N.MOHANADASAN

RESPONDENTS:

1. MANAGING DIRECTOR,
KERALA STATE ROAD TRANSPORT CORPORATION,
TRANSPORT BHAVAN, TRIVANDRUM.

2. ASSISTANT TRANSPORT OFFICER,
K.S.R.T.C., N. PARUR.

3. SPECIAL SALE OFFICER,
CHENDAMANGALAM S.C.B. GROUP,
OFFICE OF THE ASSISTANT REGISTRAR OF
CO-OPERATIVE SOCIETIES (GENERAL), N. PARUR.

4. SECRETARY,
PARUR VADAKKEKKARA SERVICE CO-OPERATIVE BANK,
NO.3131, P.O. VADAKKEKKARA.

R1 & R2 BY ADV. SRI. JOHNSON P. JOHN, SC.
R3 BY ADV. SMT. T.B. RAMANI, GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 5666 OF 2007

Dated this the 20th day of February, 2007

JUDGMENT

When the petitioner approached this Court on a previous occasion stating that the 4th respondent Bank is about to initiate coercive action against him for recovery of the amounts due to them under a loan transaction which he was having with them, this Court directed him to approach this Court as and when the 4th respondent initiates coercive steps. Now the petitioner has produced Ext.P2 which is a copy of the award passed by the arbitrator in favour of the 4th respondent and going by Ext.P3 certificate, a total amount of Rs.4,08,968/- is due to the Bank under the award.

2. Sri.Johnson P. John, Standing Counsel takes notice on behalf of respondents 1 & 2. Heard Sri. P. Jayakumar, counsel for the petitioner and Sri.Johnson P. John, learned Standing Counsel.

3. Having regard to the submissions addressed before me and the various documents placed on record, particularly, Ext.P2 decree and Ext.P3 certificate and taking into account the fact that the petitioner retired in January 2004, I am of the view that the petitioner is entitled for at least limited relief. Accordingly the Writ Petition will stand disposed of with the following directions:

Respondents 1 and 2 will pay to the petitioner the amounts due to him on account of his DCRG by means of an instrument drawn account payee in favour of the 4th respondent-Corporation Bank. Payment as directed above will be made within six weeks of receiving a copy of this judgment by them.

PIUS C. KURIAKOSE, JUDGE

btt